

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 2, 4, and 10 are pending in this application. Claims 2 and 4, which are independent, have been amended. Claims 1,3, 5-9 and 11-13 are hereby canceled without prejudice or disclaimer of subject matter. Support for this amendment is provided throughout the Specification as originally filed. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 2, 4, and 10 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Pub. No. 2002/0080533 to Ozue et al.

Independent claim 2 now recites in part:

“...said tape magnetic recording medium is
brought toward said surface due to a pressure
difference between a drum side and an outside
surface side of said tape magnetic recording
medium...” (Emphasis Added)

Applicants submit that the portions of U.S. Pub. No. 2002/0080533 to Ozue et al. cited in the Office Action (hereinafter, merely "Ozue") do not disclose the above-identified features of claim 2. Therefore, independent claim 2 is believed to be distinguishable from Ozue.

For reasons similar or somewhat similar to those described above, claim 4 is believed to be distinguishable from Ozue.

Applicants therefore respectfully request that the rejection of claims 2 and 4 under 35 U.S.C. §102(e) be withdrawn.

III. DEPENDENT CLAIMS

Claim 10 is dependent from amended independent claim 2 discussed above and is therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Applicants therefore respectfully request that the rejection of claim 10 under 35 U.S.C. §102(e) be withdrawn.

CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate the portion or portions of the reference providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
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